During the interview, Applicants' representative asserted that the limitations recited in claims 1 and 20 of the present invention were not obvious over claim 30 of U.S. Patent No. 6,863,343 (hereinafter "the '343 patent"). Specifically, Applicants' representative argued that the auxiliary force adding device or means recited in claim 1 or 20 is not disclosed or suggested by claim 30 of the '343 patent. Examiner White asked the undersigned to explain why the tensioning device recited in claim 30 of the '343 patent does not corresponds to the auxiliary force adding device or means recited in claim 1 or 20 as the prior Examiner had asserted.

In response, Applicants' representative presented arguments that the tensioning device of claim 30 of the '343 patent does not apply ***an auxiliary urging force to the left and right headrest members in the deployment direction*** of the head restraining member as recited in claims 1 and 20. Rather, the tensioning device of claim 30 of the '343 patent recites applying ***a tensile force to the head restraining member***, not to the left and right headrest members, ***after*** the left and right headrest members are swung forward (i.e., ***when*** the head restraining member has been deployed to a ***swung forward state***). Thus, Applicants' representative argued that the auxiliary force adding device or means as recited in claim 1 or 20 is not rendered obvious by the tensioning device recited in claim 30 of the '343 patent.

Examiner White indicated that he understands the difference between the auxiliary force adding device or means recited in claim 1 or 20 and the tensioning device recited in claim 30 of the '343 patent. However, Examiner Cuomo asserted that claims 1 and 20 were not clear because these claims do not clearly recite that the auxiliary force adding device is operated during deployment of the left and right headrest members. Moreover, Examiner Cuomo pointed out several other sections of claims 1 and 20 that should be written more clearly.

During the interview, Examiner Cuomo indicated claims 1-20 will be allowable if the claims are amended as discussed. The specific amendments to claims 1 and 20 that were discussed are being formally made by Examiner's Amendment.

Status of Claims and Amendments

In response to the December 21, 2005 Office Action, Applicants have amended independent claims 1 and 20 as indicated above. Applicants wish to thank the Examiner for the indication of allowable subject matter and the thorough examination of this application. Thus, claims 1-20 are pending, with claims 1 and 20 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Double Patenting Rejection

On page 2 of the Office Action, claims 1 and 20 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 30 of the '343 patent. Applicants respectfully disagree with this rejection. Applicants respectfully assert that a vehicle headrest apparatus as recited in claims 1 and 20 of the present application is ***not obvious*** over the vehicle headrest apparatus recited in claim 30 of the '343 patent for the reasons set forth in our prior response of October 14, 2005, which is hereby incorporated by reference.

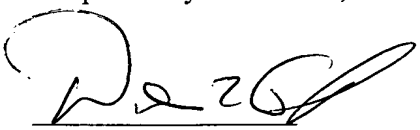
Rejoinder of Non-elected Claims

Claims 5-9, 11 and 12 were withdrawn from further consideration as being directed to non-elected species. However, Applicants respectfully request that claims 5-9, 11 and 12 be rejoined in this application. Specifically, claims 5-9, 11 and 12 depend from claim 1, which Applicants believe is allowable. Moreover, Applicants note the claims 5, 11 and 12 depend from claims that contain allowable subject matter.

* * *

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-20 are in condition for allowance.

Respectfully submitted,



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